

Dean Collins, advised the Court that Plaintiff was requesting an injunction to stop Defendant from utilizing the domain name www.footballagent.com, and an award of attorneys fees in the amount of \$5,850.00. An affidavit in support of the fee request was filed as document number 8.

On September 2, 2005, without requesting leave of court or providing any information to explain the lateness of the filing, Defendant, proceeding pro se, filed an Answer to the Complaint. Because the filing of the answer, without a motion for relief of judgment was improper, this Court, on September 6, 2005, ordered the Answer stricken (Doc. No. 11). Defendant was granted until October 6, 2005 to file a Motion for Relief from Judgment. To date, nothing has been filed.

Recommendation

For the reasons set forth above, the undersigned respectfully recommends that the proposed order filed by Plaintiff on August 30, 2005 (Doc. No. 9) be entered by the District Court.

In accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrate Judges, the parties are allowed ten (10) days from the date of service of a copy of this Order to file objections to this Order. Any party opposing the objections shall have seven (7) days from the date of service of objections to respond thereto. Failure to file timely objections may constitute a waiver of any appellate rights.

Dated: October 13, 2005

BY THE COURT:



LISA PUPO LENIHAN
U.S. MAGISTRATE JUDGE

Cc: Dean E. Collins
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